



Reprinted  
April 18, 2011

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## ENGROSSED SENATE JOINT RESOLUTION No. 9

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DIGEST OF SJ 9 (Updated April 15, 2011 2:28 pm - DI 51)

**Citations Affected:** Article 1 of the Constitution of the State of Indiana.

**Synopsis:** Constitutional right to hunt and fish. Provides that the people have a right to hunt, fish, harvest game, or engage in the agricultural or commercial production of meat, fish, poultry, or dairy products, which is a valued part of our heritage and shall be forever preserved for the public good, subject to laws prescribed by the general assembly and rules prescribed by virtue of the authority of the general assembly. Provides that hunting and fishing is the preferred means of managing and controlling wildlife. Provides that this constitutional amendment does not limit the application of any laws relating to trespass or property rights. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

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**Steele, Buck, Banks**  
(HOUSE SPONSORS — TORR, GRUBB)

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January 5, 2011, read first time and referred to Committee on Agriculture and Natural Resources.

February 3, 2011, amended, reported favorably — Do Pass.

February 7, 2011, read second time, ordered engrossed.

February 8, 2011, engrossed.

February 10, 2011, read third time, passed. Yeas 44, nays 5.

HOUSE ACTION

March 28, 2011, read first time, referred to Committee on Judiciary.

April 12, 2011, reported favorably — Do Pass.

April 15, 2011, read second time, amended, ordered engrossed.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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## ENGROSSED SENATE JOINT RESOLUTION No. 9

A JOINT RESOLUTION proposing an amendment to Article 1 of the Constitution of the State of Indiana concerning natural and cultural resources.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Seventeenth General Assembly of the State of Indiana, and is referred
- 4 to the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE
- 6 STATE OF INDIANA IS AMENDED BY ADDING A **NEW**
- 7 SECTION TO READ AS FOLLOWS: **Section 38. The people have a**
- 8 **right to hunt, fish, harvest game, or engage in the agricultural or**
- 9 **commercial production of meat, fish, poultry, or dairy products,**
- 10 **which is a valued part of our heritage and shall be forever**
- 11 **preserved for the public good, subject only to laws prescribed by**
- 12 **the General Assembly and rules prescribed by virtue of the**
- 13 **authority of the General Assembly. Hunting and fishing shall be**

SJ9—SJ9601/DI 75+



1 the preferred means of managing and controlling wildlife. This  
2 section shall not be construed to limit the application of any  
3 provision of law relating to trespass or property rights.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Joint Resolution No. 9, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be AMENDED as follows:

Page 1, delete line 8 and insert: **"right to hunt, fish, harvest game, or engage in the agricultural or commercial production of meat, fish, or poultry, which is a valued part of our heritage and shall be forever preserved for the public good, subject to laws prescribed by"**.

and when so amended that said resolution do pass.

(Reference is to SJR 9 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Joint Resolution 9, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FOLEY, Chair

Committee Vote: yeas 6, nays 2.

## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Joint Resolution 9 be amended to read as follows:

Page 1, line 9, delete "or".

Page 1, line 9, after "poultry," insert **"or dairy products,"**.

Page 1, line 11, after "subject" insert **"only"**.

Page 1, line 13, after "Assembly." insert **"Hunting and fishing"**

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**shall be the preferred means of managing and controlling wildlife. This section shall not be construed to limit the application of any provision of law relating to trespass or property rights."**

(Reference is to ESJR 9 as printed April 12, 2011.)

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